

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION))))))	MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory No. 03-10643-PBS
THIS DOCUMENT RELATES TO: <i>The City of New York, et al. v. Abbott Laboratories, Inc., et al.</i>)))))	Judge Patti B. Saris

**JOINT MOTION FOR DISMISSAL OF PLAINTIFFS' CLAIMS AGAINST
DEFENDANTS TEVA PHARMACEUTICALS USA, INC., NOVOPHARM USA, INC.,
BARR LABORATORIES, INC., IVAX CORPORATION, IVAX
PHARMACEUTICALS, INC., SICOR, INC., AND SICOR PHARMACEUTICALS, INC.**

Plaintiffs, the Consolidated New York Counties, and defendants, Teva Pharmaceuticals USA, Inc., Novopharm USA, Inc. (n/k/a Novopharm Holdings, Inc.), Barr Laboratories, Inc., Ivax Corporation (n/k/a Ivax LLC), Ivax Pharmaceuticals, Inc., Sisor, Inc., and Sisor Pharmaceuticals, Inc. (f/k/a Gensia Laboratories, Ltd., n/k/a Teva Parenteral Medicines, Inc.) (hereinafter collectively the “Teva Defendants”), by and through their respective attorneys, pursuant to Fed. R. Civ. P. 41 and the terms of the Settlement Agreement between the Consolidated New York Counties and the Teva Defendants, hereby jointly move for entry of the attached [Proposed] Order of Dismissal of Plaintiffs’ Claims Against the Teva Defendants, and that all claims in this action against the Teva Defendants be dismissed with prejudice and without costs to any party.

Dated: November 5, 2010

Respectfully submitted,

By: 

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*On Behalf of Plaintiffs the Consolidated New York
Counties*

By: 

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On Behalf of the Teva Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2010, I caused a true and correct copy of the foregoing, Joint Motion for Dismissal of Plaintiffs' Claims Against Defendants Teva Pharmaceuticals USA, Inc., Novopharm USA, Inc., Barr Laboratories, Inc., Ivax Corporation, Ivax Pharmaceuticals, Inc., Sicor, Inc., and Sicor Pharmaceuticals, Inc., to be served on counsel of record for each party through the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ James Carroll
James Carroll